

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3099 of 2014

Arising Out of PS.Case No. -1278 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

1. Shashi Bhushan Singh Son Of Sri Mithilesh Singh Resident Of Village-
Dawath , Police Station- Dawath, District- Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar

2. Akancha Devi Wife Of Shashi Bhushan Singh C/O Dr. Indu Singh,
Resident Of Mohalla- Rajput Colony, P.O. And P.S. Sasaram Town,
District- Rohtas

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. P.N.Pandit (App)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

5 13-04-2015 The petitioner figured as accused in

Complaint Case No.1278/2012, registered on the basis of

a complaint submitted by the wife of the petitioner

alleging offences including one punishable under Section-

498A of I.P.C. Apprehending arrest, the petitioner filed

A.B.P. No.2446/2013 in the court of learned Sessions

Judge, Rohtas. The learned Judge rejected the

application through order dated 26.11.2013. Hence, this

application for grant of anticipatory bail under Section-

438 of Cr.P.C.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

Whether one goes by the nature of allegations or the law laid down by the Supreme Court in the recent past, the arrest of a person who figured as accused in a case wherein offences punishable under Section-498A of I.P.C. is alleged, is not at all warranted.

Therefore, the application is allowed.

The order dated 19.3.2014 granting provisional anticipatory bail shall be treated as one granting anticipatory bail, subject to the conditions that:-

(a) if any arrangement ordered by this Court on earlier occasion, it shall be in force till the disposal of the case before the trial court;

(b) the petitioner shall be under obligation to live with and maintain his wife, if she is otherwise willing; and

(c) disposal of this application shall be without prejudice to the proceedings for mediation, if any.

(L. Narasimha Reddy,CJ)

K.C.jha/-

U		T	
---	--	---	--